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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PENDLETON DIVISION

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OREGON FIREARMS FEDERATION, )  
INC., et al., )  
Plaintiffs, ) Civil No.  
v. ) 2:22-cv-01815-IM  
(Lead Case)  
TINA KOTEK, et al., ) Civil No.  
Defendants. ) 3:22-cv-01859-IM  
(Trailing Case)  
(Continued) ) Civil No.  
 ) 3:22-cv-01862-IM  
(Trailing Case)  
 ) Civil No.  
 ) 3:22-cv-01869-IM  
(Trailing Case)  
)

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\* VIDEOCONFERENCE \*

DEPOSITION UPON ORAL EXAMINATION

OF EXPERT

ROBERT J. SPITZER

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Witness located in:

Williamsburg, Virginia

\* All participants appeared via videoconference \*

DATE TAKEN: April 5, 2023  
REPORTED BY: Tia B. Reidt, Washington RPR, CCR #2798  
Oregon #22-0001

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1 \_\_\_\_\_  
2 (continued) )  
3 MARK FITZ, et al., )  
4 Plaintiffs, )  
5 v. )  
6 ELLEN F. ROSENBLUM, et al., )  
7 Defendants. )  
8 \_\_\_\_\_  
9 KATERINA B. EYRE, et al., )  
10 Plaintiffs, )  
11 v. )  
12 ELLEN F. ROSENBLUM, et al., )  
13 Defendants. )  
14 \_\_\_\_\_  
15 DANIEL AZZOPARDI, et al., )  
16 Plaintiffs, )  
17 v. )  
18 ELLEN F. ROSENBLUM, et al., )  
19 Defendants. )  
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1 APPEARANCES

2 For Oregon Firearms Federation:

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1 question.

2 Go ahead. You can answer.

3 THE WITNESS: Yeah, I wouldn't call it an  
4 opinion, exactly, but as I'm sure you know, there are  
5 competing estimates about how many firearms there are  
6 in America in civilian hands. There is no  
7 authoritative source of information because the  
8 government does not collect that. And it's generally  
9 determined through public opinion polls, and polling  
10 results vary. There probably are something like 350  
11 million -- 350 million guns in America. Some number in  
12 that ballpark.

13 BY MR. WILLIAMSON:

14 Q. Yes. I've heard a similar estimate, and one  
15 as high as, I think, 413 million. Something like that.

16 A. Yes.

17 Q. That's based on, like, National Shooting  
18 Sports Foundation's sales records and things as opposed  
19 to survey results.

20 A. Right.

21 Q. Have you examined as part of your work state  
22 requirements for obtaining a permit to purchase?

23 A. I have not examined them systematically. Of  
24 course, different states have different standards. I  
25 am acquainted with the New York state permitting

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1 standard because I went through that process about ten  
2 years ago.

3 Q. And I think you testified about that.

4 So let me see if I can find an exhibit here  
5 really quickly.

6 Do you have access to Exhibit Number 22?

7 A. Oh, 22. Yes. Let's see.

8 Oregon State Police?

9 Q. Yes.

10 A. 2022.

11 Q. Yes.

12 A. Got it.

13 Q. I'm having a similar problem with mine loading  
14 the document.

15 A. I'm glad it's not just me.

16 Q. Okay. So on page 16, it's referenced as  
17 appendix number C.

18 A. Okay.

19 Page 16, Appendix C.

20 Q. Yes.

21 MR. WILLIAMSON: Was everybody else able  
22 to open that?

23 (No response.)

24 BY MR. WILLIAMSON:

25 Q. So Appendix C lists the disqualifiers for

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## C E R T I F I C A T E

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3 STATE OF WASHINGTON

4 COUNTY OF PIERCE

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6 I, Tia Reidt, a Certified Court Reporter in  
7 and for the State of Washington, do hereby certify that  
8 the foregoing transcript of the deposition of ROBERT J.  
9 SPITZER, having been duly sworn, on April 5, 2023, is  
10 true and accurate to the best of my knowledge, skill  
11 and ability. Reading and signing was requested pursuant  
12 to FRCP Rule 30(e).

13 IN WITNESS WHEREOF, I have hereunto set my  
14 hand and seal this 11th day of April, 2023.

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/S/ Tia B. Reidt  
Tia B. Reidt, RPR, CCR #22-0001  
NOTARY PUBLIC, State of  
Washington.  
My commission expires  
5/15/2026.

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